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PATENT #10
Attorney Docket No. FORS-06612

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dahlberg *et al.*

Serial No.: 09/940,925

Filed: 08/28/01

Entitled: **Rapid Detection and Identification of Pathogens**

Group No.:

Examiner:

**RESPONSE TO THE NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES MAILED
APRIL 4, 2002, AND PRELIMINARY AMENDMENT BY
SUBSTITUTE SPECIFICATION UNDER 37 C.F.R.
§1.121(3), AND SUBSTITUTE DRAWINGS UNDER 37
C.F.R. §1.121(d)**

U.S. Patent and Trademark Office
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Dated: 6-4-02


Mary Ellen Waite

Sir or Madam:

This is responsive to a "NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES," mailed on April 4, 2002 and setting a two-month period for response which ends on June 4, 2002.

Prior to examination of the instant application, please amend the application by replacing the specification pursuant to 37 C.F.R. § 1.121(b)(3) and 37 C.F.R. § 1.125(b).
Applicants enclose the following herewith:

PATENT
Attorney Docket No. **FORS-06612**

(A) A substitute specification in clean form without markings as to amended material, and having paragraphs individually numbered pursuant to 37 C.F.R. § 1.125(c) (Tab 1). The clean substitute specification begins on page 1 and ends on page 303. The clean substitute specification includes no new matter; and

(B) A marked-up copy of the substitute specification (Tab 2) pursuant to 37 C.F.R. § 1.125(b)(2), showing the matter that was added and deleted from the specification. Added matter is underlined, and deleted matter is bracketed.

In this substitute specification, brackets other than those used to indicate deletions have been replaced by parentheses. Trademarks have been capitalized where they appear.

Drawings 6, 12A, 13A, 14-16, 19-21 and 23 show sequences and have been amended to add sequence identifiers. Pursuant to 37 C.F.R. § 1.121(d), a separate paper for each drawing showing the proposed changes in red is submitted herewith (see Tab 3). For Examiner's convenience, drawings having the changes in black are also included (see Tab 4). The substitute specification includes amendments to add references to these sequence identifiers.

The Examiner has requested that a Sequence Listing pursuant to 37 C.F.R. §§ 1.821(a)(1) and (a)(2) be provided as the one filed February 2, 2002 had formatting problems throughout. Submitted herewith is a substitute paper copy that begins on page 1 and ends on page 96, and a substitute computer readable form of a "Sequence Listing." The contents of the paper and computer readable copies are the same and include no new matter.

Respectfully submitted,

Dated: June 4, 2002



Mary Ann D. Brown
Registration No. 42,363

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
415.904.6500



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/940,925	08/28/2001	James E. Dahlberg	FORS-06612

CONFIRMATION NO. 6817

FORMALITIES LETTER



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23535
MEDLEN & CARROLL, LLP
101 HOWARD STREET
SUITE 350
SAN FRANCISCO, CA 94105

Date Mailed: 04/04/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a)

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d)

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
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*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE